

Please add the following new claims:

- B3
- 18. The implant of claim 1, in combination with at least one of hydroxyapatite and hydroxyapatite tricalcium phosphate.
 - 19. The implant of claim 1, in combination with a hollow tube configured to guide the insertion of said implant into the spine.
 - 20. The combination of claim 19, further in combination with a bone removal device configured for passage through said hollow tube.
 - 21. The combination of claim 20, wherein said bone removal device is one of a drill and a mill.
 - 22. The implant of claim 1, in combination with a driver instrument for inserting said implant into the spine.--

REMARKS

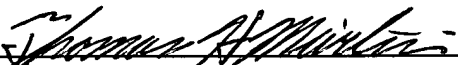
Applicant amended claim 1 and added new dependent claims 18-22 to further define Applicant's claimed invention. Applicant also amended the specification to provide antecedent basis for the subject matter of originally filed claim 17. No new matter has been added. Support for the amendment to claim 1 is found at least in claim 4 as originally filed. Support for new dependent claim 18 is found at least on page 20, lines 7 and 8 of the specification. Support for new claim 19 is found at least on page 13, line 13 of the specification. Support for new claims 20 and 21 is found at least on page 5, line 2 of the specification. Support for new claim 22 is found at least on page 13, line 7 of the specification. Entry and consideration of this Amendment prior to the examination of the above-identified application is respectfully requested.

If there are any fees due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: March 11, 2003

By: 
Thomas H. Martin
Registration No. 34,383

14500 Avion Parkway, Suite 300
Chantilly, Virginia 20151-1101
Telephone: (703) 679-9300
Facsimile: (703) 670-9303

CHANGES TO THE SPECIFICATION

Please amend the specification as follows:

Page 20, paragraph 1:

--The passageway is preferably adapted to hold any natural or artificial osteoconductive, osteoinductive, osteogenic, or other fusion enhancing material. Some examples of such materials are bone harvested from the patient, or bone growth-inducing material, such as, but not limited to, hydroxyapatite, hydroxyapatite tricalcium phosphate, genes coding for production of bone, or bone morphogenetic protein. The bone dowel of the present invention may be filled and/or coated with a bone ingrowth inducing material, such as, but not limited to, hydroxyapatite or hydroxyapatite tricalcium phosphate or any other osteoconductive, osteoinductive, osteogenic, or other fusion enhancing material. The bone dowel of the present invention may be filled and/or coated with a chemical substance to inhibit scar formation.--

CHANGES TO THE CLAIMS

1. (Amended) An interbody spinal implant for insertion at least in part into an implantation space formed across a disc space between adjacent vertebral bodies of a human spine and into at least a portion of the endplates of the vertebral bodies, said implant comprising:

a body having a leading end for insertion first into the disc space and a trailing end opposite said leading end;

opposite upper and lower surfaces adapted to be placed in contact with and to support the adjacent vertebral bodies, said upper and lower surfaces being arcuate;

an opening passing through said upper and lower surfaces for permitting for the growth of bone from adjacent vertebral body to adjacent vertebral body through said implant; and

said implant being manufactured from a composite of cortical bone particles and at least one bioresorbable material, said cortical bone particles and said at least one bioresorbable material being combined to form a machinable material from which said implant is manufactured.